

PROB 12C  
(7/93)Report Date: November 6, 2012  
FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

## United States District Court

for the

Eastern District of Washington

NOV 06 2012

JAMES R. LARSEN, CLERK  
DEPUTY  
SPOKANE, WASHINGTON

## Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Ralph James Davis Jr. Case Number: 2:11CR06034-001  
 Address of Offender: Benton City, WA 99320  
 Name of Sentencing Judicial Officer: The Honorable Robert H. Whaley, Senior U.S. District Judge  
 Date of Original Sentence: 11/30/2011  
 Original Offense: Dealing Counterfeit Currency, 18 U.S.C. § 473  
 Original Sentence: Probation - 60 Months Type of Supervision: Probation  
 Asst. U.S. Attorney: Earl A. Hicks Date Supervision Commenced: 11/30/2011  
 Defense Attorney: Diane E. Hehir Date Supervision Expires: 11/29/2016

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 PETITIONING THE COURT

## To issue a summons.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1

**Standard Condition # 2:** The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first 5 days of each month.

**Supporting Evidence:** Ralph Davis is considered in violation of his period of probation by failing to report as directed on October 2, 2012, and October 25, 2012.

The defendant was directed to report to the Richland Probation Office on the first Tuesday of each month. On October 2, 2012, the defendant failed to report or contact this officer.

On October 25, 2012, the defendant was contacted at his residence and directed to report to the Richland Probation Office at 3:00 p.m. The defendant was informed this was a mandatory meeting as a urinalysis test would be collected. The defendant failed to report as directed.

The defendant called the probation office after 5:00 p.m. on October 25, 2012, and left a voice mail stating he had been involved with his house appraisal and was unable to report as directed. He further noted he was setting up for a yard sale and asked for a return call to set up another appointment.

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As Mr. Davis' message was left after normal business hours, a return call was not initiated until the next day, October 26, 2012, by this officer. The defendant's phone went to voice mail and a message was left directing the defendant to report by 10:00 a.m. When the defendant did not report as directed, contact was attempted at the defendant's residence. The defendant's wife was contacted at the residence and she confirmed the home appraisal was completed on October 25, 2012, in the morning and the defendant left for his daughter's home in Prescott shortly thereafter. She also noted the defendant's cell phone was not working. A card was provided to the defendant's wife directing him to report to the probation office on October 29, 2012.

On October 29, 2012, the defendant reported for our appointment and admitted he had traveled to his daughter's home instead of reporting.

- 2      **Standard Condition # 3:** The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

**Supporting Evidence:** Ralph Davis is considered in violation of his period of probation by providing false information to his probation officer on or prior to October 25, 2012.

As noted above, the defendant untruthfully stated he had been assisting in the appraisal of his home which caused him to miss our appointment. He also stated he was conducting a yard sale which might interfere with our meeting. It was later disclosed by his wife and confirmed by the defendant that he had left to see his daughter in Prescott instead of reporting as directed.

- 3      **Special Condition # 17:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

**Supporting Evidence:** Ralph Davis is considered in violation of his period of probation by failing to report for urinalysis testing as directed on or prior to October 25, 2012.

As noted above, the defendant was directed to report for urinalysis testing on October 25, 2012. The defendant agreed to the time he was to report. The defendant failed to report as directed. The defendant later admitted to driving to his daughter's home in Prescott instead of reporting.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the defendant to appear to answer to the allegations contained in this petition.

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 11/02/2012

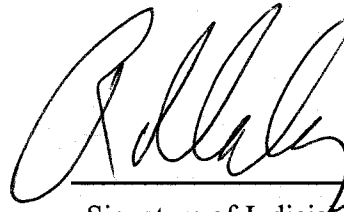
s/David L. McCary

David L. McCary  
U.S. Probation Officer

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### THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

11/6/2012

Date